

REMARKS

In response to the Office Action mailed February 13, 2003, the Applicant respectfully requests that the Examiner enter the above amendments and consider the following remarks. A marked-up version of the changes is attached hereto. Claim 1 has been amended to more clearly describe the invention. Claim 2 was previously canceled in the amendment filed November 8, 2002. As a result, claims 1 and 3-21 are still pending in the application. The Applicant respectfully requests further examination and reconsideration of the application in light of the amendments and accompanying remarks.

Rejection of Claims 1 and 3-21 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1 and 3-21 under 35 U.S.C. § 103(a) as being unpatentable over Stucky et al. The Applicant respectfully traverses the rejection.

The teaching of Stucky et al. is limited to foamed polymer-fiber composites. Stucky et al. does not teach or suggest a component having a foamed PVC layer that does not include a cellulosic material. In addition, Stucky et al. does not teach or suggest any specific polypropylene composition. Polypropylene is not equivalent to PVC. As a result, the Applicant respectfully submits that one of ordinary skill in the art would have to engage in undue experimentation in order to successfully manufacture a foamed or non-foamed polypropylene composition based on the teaching of Stucky et al.

The Applicant has amended claim 1 in order to more clearly describe the present invention. In particular, the Applicant has amended claim 1 to more clearly describe the foamed polymer layer of the present invention. Therefore, the Applicant respectfully

submits that Stucky et al. cannot support the rejection of claims 1 and 3-21 under 35 U.S.C. § 103(a).

Rejection of Claims 1 and 3-21 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 1 and 3-21 under 35 U.S.C. § 103(a) as being unpatentable over Hendrickson et al. The Applicant respectfully traverses the rejection.

Hendrickson et al. does not teach or suggest any particular foamed polymer composition. Column 7, lines 50-54, merely states that the apertures 25 may be filled insulating foam 19, which is preferably low density PVC or other thermoplastic or low density polyurethane foam. However, Hendrickson et al. does not specify any particular foamed polymer composition. Likewise, column 11, lines 52-55, of Hendrickson et al. merely states that the hollow portions may be filled with a suitable foam material. The inserts 30 are described in column 15, lines 45-61. The inserts 30 are not the same as the insulating foam 19 that is described in column 7. In particular, the inserts 30 are related to a different embodiment which does not include insulating foam 19. In addition, it should be recognized that Hendrickson et al. does not teach or suggest any specific polypropylene composition. Polypropylene is not equivalent to PVC. As a result, the Applicant respectfully submits that one of ordinary skill in the art would have to engage in undue experimentation in order to successfully manufacture a foamed or non-foamed polypropylene composition based on the teaching of Hendrickson et al. Therefore, the Applicant respectfully submits that Hendrickson et al. cannot support the rejection of claims 1 and 3-21 under 35 U.S.C. § 103(a).

CONCLUSION

The Applicant has distinguished claims 1 and 3-21 over the cited references. Therefore, the Applicant respectfully submits that the present application is now in condition for allowance, and such action is earnestly requested.

Respectfully submitted,

Date: 4/14/03

Jeffrey C. Norris

Jeffrey C. Norris
Registration No. 42,039
Standley & Gilcrest LLP
495 Metro Place South
Suite 210
Dublin, Ohio 43017-5319
Telephone: (614) 792-5555
Fax: (614) 792-5536

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS

Please amend the following claim:

1. (twice amended) A component comprising:

a synthetic wood layer comprising:

cellulosic filler in an amount of about 20% to about 70% by weight; and

polyvinyl chloride material in an amount of about 20% to about 70% by weight, said polyvinyl chloride material comprising:

polyvinyl chloride resin;

stabilizer in an amount of about 1 to about 10 parts per 100 parts of said polyvinyl chloride resin;

lubricant in an amount of about 2 to about 12 parts per 100 parts of said polyvinyl chloride resin; and

process aid in an amount of about 0.5 to about 8 parts per 100 parts of said polyvinyl chloride resin; and

a foamed polymer layer secured to said synthetic wood layer, said foamed polymer layer [comprising]consisting essentially of:

polyvinyl chloride resin;

stabilizer in an amount of about 1.5 to about 7 parts per 100 parts of said polyvinyl chloride resin;

lubricant in an amount of about 3 to about 10 parts per 100 parts of said polyvinyl chloride resin;

process aid in an amount of about 6 to about 12 parts per 100 parts of said polyvinyl chloride resin; and
blowing agent in an amount of about 0.3 to about 1 part per 100 parts of said polyvinyl chloride resin.